

**Order below Exh.9 in Special (POCSO) Case No.36 of 2020**  
**CNR No.MHJG01-000567-2020**

1] The applicant Sharad Narsing Vanjari (Pawar), resident of village Dagdi Sub-gavhan, Post-Rajwad, Tal. Amalner, District-Jalgaon, has applied under Section 451 of Code of Criminal Procedure for release of seized two-wheeler vehicle, Bajaj CT 100 ES, bearing registration No.19/DJ-7207, Chassis No.MD2B37AY2KWK06735, Engine No.PFYWKK83060, in his favour.

2] According to the applicant, he is registered owner of this vehicle. The vehicle was seized during investigation of C.R.No.97/2020, for offences punishable under Sections 363, 366-A, 506 of Indian Penal Code and Section 11 punishable under Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3] The learned A.P.P. filed say on the overleaf of application itself and objected to release the vehicle in favour of the applicant. He submitted that the vehicle has been used by the accused for commission of crime and it is the important piece of evidence. Hence, he prays for rejection of the application.

4] Heard the learned counsel for the applicant and Shri. S.R. Patil, the learned A.P.P.

5] It appears that the applicant is registered owner of the vehicle. The investigation is completed and charge sheet is filed in this court. No purpose would be served by detaining the vehicle at police station, as it would get damage for want of necessary care and protection. The apprehension expressed by the learned A.P.P. can be

guarded by imposing certain conditions. Hence, the following order is being passed;

**ORDER**

- i) Application (Exh.9) is allowed.
- ii) It is directed that the two-wheeler motorcycle, Bajaj CT 100 ES, bearing registration No.19/DJ-7207, Chassis No.MD2B37AY2KWK06735, Engine No.PFYWKK83060, be handed over to the applicant Sharad Narsing Vanjari (Pawar), resident of village Dagdi Sub-gavhan, Post-Rajwad, Tal. Amalner, District- Jalgaon, on his executing Supartnama bond in the sum of ₹70,000 (rupees Seventy Thousand only) on following conditions;
  - a) The applicant shall not change the identity, colour and looks of the vehicle without prior permission of this court.
  - b) The applicant shall not transfer or dispose of the vehicle during pendency of this case.
  - c) The applicant shall not use, or allow to be used, the vehicle, for commission any criminal activity.
  - d) The applicant shall produce the vehicle as and when directed by this court to do so, during the course of trial.
  - e) The investigating officer shall record panchanama about the condition of the vehicle, at the time of handing over the same to the applicant.
  - f) The investigating officer shall take the photographs of the vehicle, and panchanama and photographs shall be produced on record of this case.

Date: 23.03.2021.

(V. R. Joshi)  
Additional Sessions Judge, Amalner.